



MONTANA STATE PARKS AND RECREATION BOARD AGENDA ITEM COVER SHEET

Meeting Date: December 14, 2016

Agenda Item: Biennial Fee Rule – Smith River State Park & River Corridor

Division: Parks

Action Needed: Tentative

Time Needed on Agenda for this Presentation: 20 minutes

Background: The Smith River Management Act, 23-2-401 through 23-2-410, MCA, authorizes the Board to provide for the administration of the Smith River waterway and adopt rules for this purpose. The Smith River State Park and River Corridor Biennial Rule establishes fees and administrative rules for private, commercial and landowner float trips in Smith River State Park. The current rule was last adopted by the Board in March 2015 and is scheduled to expire in March 2017.

The Parks Division has prepared a draft biennial rule for consideration by the Board. The most significant change in the draft rule involves eliminating language related to home-made storage containers for storing food, garbage and other attractants in a bear resistant manner. While certified home-made containers will still be allowed, capacity for certifying these containers is limited. Removing language that references these containers specifically will better align visitor expectations with the limited availability of certification professionals. The remaining edits/changes to the rule are grammatical to improve consistency and understanding of terminology and the recognition of a new commercial outfitter.

Upon closing of the public comment period, a January conference call for the Board may need to be scheduled to accommodate any necessary changes to the rule prior to the spring lottery.

Public Involvement Process & Results: Upon authorization by the Board, the Parks Division will solicit public comment for a 30 day period.

Alternatives and Analysis:

Alternative 1: Release the draft 2017 Smith River Rule with the following changes.

- Eliminate food storage language related to the use of “any home-made storage container or device that has passed an IGBC courtesy inspection or testing program”.
- Reference to new authorized outfitter Brian McGeehan, Montana Angler Fly Fishing, who bought out Missoula Fishing Company in 2015.
- A variety of clerical edits to improve consistency and understanding.

Alternative 2: Do not release the draft 2017 Smith River Rule.

Agency Recommendation and Rationale: The Division recommends that the Board approve the tentative rule as proposed and seek public comment.

Proposed Motion: I move that the Board authorize the Parks Division to seek public comment on the proposed 2017 Smith River Biennial Fee Rule, as described in Alternative 1.